SUPREME COURT, U.S.
AUG 16 2010
OFFICE OF THE CLERK

No. 09-1384

In The

Supreme Court of the United States

CONNIE BURNS WATKINS,
RICHARD WATKINS,

Petitioners,

v.

CITY OF PARAGOULD, ARKANSAS, et al.,

Respondents

On Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Eighth Circuit

REPLY

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August 16, 2010

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Explanation of reference abbreviations

This Reply refers with the indicated abbreviations, to pages and appendix in the following records: Watkins' petition in this case – U.S. Supreme Court Petition 09-1384 (**Pet.**); Connie Watkins' U.S. Supreme Court Petition Case 10-66 (**U.S.10-66**); Watkins' 5th Amended Counterclaim (**5th am.cc.**); Filings in Federal Court (**Doc. No.**); Greene County Circuit Court Cases (**CIV-2010-103**), an FOIA Case; and, (**CR-2010-211**) a Bill of Pains and Penalties Case.

Reply to Brief in Opposition

I. Every aspect and argument of the opposition brief is fraudulent

A. The brief in opposition misstates the petition arguments in reciting the remover's fraudulent claims which the Courts had adopted as the sole basis for judgments against the Watkins

Opposition, pages 2,3,4,5,6,7,8 and 9 argue a phantom Rule (14), persisting that Petitioners 'failed to comply with the rule in their 5th amended counterclaim', though Watkins, early and often, objected to and addressed opposition's solitary, repetitious fraudulent issue, to show **a)** there was no reason for us to use Rule 14, **b)** we, knowingly, did not use that third-party rule, **c)** we did not need the Court's permission to 'not use a rule that was not to be used', and **d)** therefore 'did not fail to comply' with a rule

not mentioned, and not applied, in our case (**Pet. pgs. 4,5,6,11 and APP.H,L,M,O,P and T**) The rules that we followed are listed on page 2, line 2 of the 5th amended counterclaim, and are clearly stated Federal Rules of Civil Procedure, Rules 12, 13, 15, 17, 18, **19**, and 20. Our summonses were proper.

The fraudulent 'third party' language was created by Plaintiff PLWC attorney Donis Hamilton in his initial response to Watkins' 5th amended counterclaim in state court, which led into federal court. Plaintiff parties depended on the total confusion of party status in the District Court where third-party labels were assigned to all parties, against the pleadings of the Watkins, and though the language is *correctly absent* from the Watkins' 5th amended counterclaim (**Pet.APP.G;** and **Doc.No.1**). Nonetheless, in filing with the U.S. Supreme Court, Watkins were told to style 'Parties to the Proceeding' as it had been in The Eighth Circuit Court of Appeals, so the fraudulence will remain indelibly.

Watkins' established that the individuals named in the 5th amended counterclaim were necessary, indispensable parties within the meaning of Arkansas and Federal Rule of Civil Procedure, **Rule 19**, specifically stating the numerous unadjudicated deliberate, malicious and criminal actions against our rights, *all* carried out by Paragould Light and Water Commission (PLWC) and its agents, including the Paragould Police Department (PPD), on behalf of PLWC, and at PLWC's direction. (**Pet. pg. 6; 5th am.cc.¶¶40-375**). Counterclaims against the parties are laid out in the

5th amended counterclaim, on pages 140-301 (**Doc. No. 1**) and stand untouched with opposition's empty denials.

We Watkins, the only original 'DEFENDANT', have never filed a cross-complaint. All claims are against plaintiff parties, in accordance with Arkansas Rules of Civil Procedure, Rules **13**(a)(c)(d)(e) and (g), **15** ('leave freely given . . . '), and **19** (**Pet. pgs.6 and 20**).

Also contrary to a brief-in-opposition-claim, the petition *did* present federal questions fitting the character of the reasons in U.S. Supreme Court Rule 10(a)(b) and (c), that this Court considers: the U.S. District Court's dismissal of timely challenge to jurisdiction, party status and federal question issue, and total lack of adherence to the removal statute and timely notification of fraud (**Pet. pg.i**); abuse of discretion pertaining to Federal Rules of Civil Procedure (**Id.pg.ii and iii**); and Court's denial of protection of Watkins' Fifth Amendment Due Process right not to be deprived of property and liberty, and other Constitutional rights (**Id.pgs.iii, 71a; APP.T**).

Non-removed, non-original plaintiff Counter-defendants argue in opposition, on page 8 and 9, that it was 'in the posture' of the removers having been joined by annulled summonses to the 5th amended counterclaim that the case was removed, and that the District Court properly struck the 5th amended counterclaim because the summonses had been

annulled [from the start]. This 'known-fraudulent-sole-basis-for-dismissal' must fail.

B. Non-removing *Plaintiff* Paragould Light and Water Commission (PLWC) and its co-party counterdefendants fraudulently argue in opposition

What standing does PLWC Attorney Donis Hamilton have to argue in the U.S. Supreme Court when he *does not represent* the 10 individuals who removed to federal court?

Hamilton states on the cover and page 9 of the Brief in Opposition, *'Counsel of Record'* and *'Attorney for Respondents'*, and further deceptively indicates, with the long-time 'style of the case', that 'City of Paragould', 'Paragould Light and Water Commission' and the PLWC employees listed, are 'Respondents', when, clearly: **a)** no party listed there removed to federal court (**Doc.No.1**-Notice of Removal); **b)** Hamilton does not represent the City of Paragould (**Reply-1a**) or its employees and officials; and **c)** *no document of substitution* has been filed with the lower courts or with this Court, to substitute Donis Hamilton, in place of Robert Beard to represent the ten 'individual' 'city' 'removers' (**Pet. footnote on pg. iv**).

The only 'attorney of record in the removal', Robert Beard, and the ten (10) removing counterdefendants *argue nothing* in opposition. Those ten who removed to federal court, however fraudulently, should be the only to argue in the U.S. Supreme

Court. (**Reply-10a**). Also, contrary to the docket, Watkins' have received no notice of 'Michael Mosley' becoming the 'Counsel of Record' for the City of Paragould.

Hamilton *did not* file a notice of appearance in the U.S. District court, but filed an appearance in the U.S. Court of Appeals *only after* the final decision of the six from which we are appealing. On December 11, 2009, Hamilton entered an appearance 'as Counsel for' PLWC and eight PLWC employees (**Reply-5a**). These are eight (8) of the fourteen (14) non-removing counterdefendants.

Further, there was no *order* by the Court to join PLWC employees to the removal, and no *order* to join plaintiff entities PLWC (original) or City of Paragould, all who 'now argue in opposition'.

We Watkins, do not consider these non-removing counterdefendants to be the respondents, as they lack standing.

C. PLWC attempts to create prejudice through false allegations about the history

The Record shows that PLWC's original 2006 complaint was a malicious red herring and that Hamilton abuses process with known false records and bad faith, in violation of Fed. R. of Civ. P. Rule 11(b) (**Pet. pgs. 56a-57a**) each time he files documents on behalf of PLWC in court, stating, as he does now in this Court, that the Watkins have "interfered"

in any way, "threatening, harassing or physically or verbally abused the commission, its employees or contractors in the maintenance of the right-of-way . . . ". Record shows that, PLWC *does not own* a right-of-way on Watkins' land, that we *have had agreement* with PLWC since 2003 that *Watkins maintain our own* trees (relevant to this case) (**5th am.cc.pg.12¶25 and pg. 16¶39**), our trees were clearly not encroaching the lines on November 28, 2006 (**U.S. 10-66, APP.AD**), and that fraud and forgery (**5th am.cc.pg.118¶312**) have landed wicked accusations against Connie Watkins in a 'special file' housed at PLWC, used to incite illegal government action against Watkins' property and the Watkins (**Id.pgs.18-43, 118¶312**) also (**Pet. pgs.22a-27a**).

PLWC documents, obtained through FOIA, after Connie Watkins' conviction, illustrate PLWC ill-will, hatred, spite and evil intent resulting in hundreds of intentional harmful actions including filing of false reports, defamation, conspiratorial violation of fundamental freedoms and protections of the Fifth Amendment's Due Process and the Fourteenth Amendment's Due Process and Equal Protection Clauses, and that all PLWC allegations were for the purpose of covering those PLWC criminal activities against the Watkins (**5th am.cc. Section D**). The fraud on the court worked by Hamilton involves an unconscionable plan designed to totally obstruct justice, dictate the Courts' decisions, to keep the 'not guilty' Connie Watkins' convicted, and keep Watkins' viable claims from going to a jury trial. (**Pet. pgs. 4-6 and 34-36**). Hamilton tried to dissuade

PLWC CEO Bill Fisher from taking retaliatory action against Connie Watkins less than two weeks before my arrest, because "all the trimming that needs to be done has been completed" (**U.S. 10-66 APP.O**). Fisher agreed, but proceeded to arrange illegal police action against me and the Watkins' property (**Pet. pgs. 24a-28a**). Hamilton then spearheaded the cover-up campaign that included continual crimes against the Watkins' rights. (**Id. 28a-37a**) (**5th am.cc. pgs.48-76**).

The 5th amended counterclaim, pages 6-28, states facts to show the fraudulent nature of PLWC's allegations of 'conflicts and confrontations for many years prior to 2006'. Watkins have based no claims in this case on PLWC actions against Watkins before April 2006, other than *Defamation*. We had no knowledge until January 2008, that PLWC had solicited and collected letters pertaining to Connie Watkins' private life, propounding to 'set a precedent' using PLWC's 1999 damage to Watkins' property (**Id. pgs. 266 and D2**).

The PLWC brief refers to 'a final confrontation', and sets forth the arrest and conviction of Connie Watkins, citing the case in which Appellate Courts adopted the lengthy defamatory spillage of the bench trial judgment, which is in total contradiction to the uncontroverted police recording of my arrest. The case has now been filed, July 7, 2010, in the **U.S. Supreme Court – Petition 10-66** and the *undisputed* defense transcript of the tape (**U.S. 10-66, APP.R**) and corroborating police records time-line

(**Id.APP.S,T and U**) show the complete physical impossibility of the incriminatory testimony by the prosecutor, and witnesses PLWC agent Jake Crafton and two PPD officers (**5th am.cc.pgs.86-105**). The record shows that the mayor and chief of police instructed officers to 'execute a plan' against the Watkins' property (**Id. T-testimony, 282-289**), that the Watkins' trees were not encroaching the utility lines (**U.S. 10-66, APP.AD**), that the Court did not require prosecution to meet the elements of Ark. Code. Ann. §5-71-207 and that there was no probable cause under Ark. R. Crim. P. 4(a)(iii), or Ark. Code. Ann. §16-81-106(c)(1) (Repl.2005) (**U.S.Supr.Ct. P.10-66, pgs. 20-23, APP.R and S**).

Connie Watkins' November 28, 2006 Fourth Amendment violation arrest, prosecution and conviction were designed by PLWC as punishment for First Amendment speech against damage done to our property by the commission's agents (**Id. APP.N and pgs. i-iii**). My conviction was maliciously secured on behalf of PLWC (**5th am.cc.¶223-239, 291**); (**Pet. 09-1384** (this) **pgs.27a-35a; and CIV-2010-103 (FOIA case)**) to damage Watkins' civil case (**5th am.cc.¶¶291-293**) and has criminalized **a)** the act of 'making a list of talking points' in expectation of asking protection from a police officer (**U.S. 10-66, pg. 6; APP.Q**), **b)** protected speech, and according to a dissenting opinion, **c)** 'body language', wherein citizens on private property ask officers to protect their property from government agents (**Id. 20-23**) who are escorted *to* the property by the officers.

PLWC's position was promoted, without PLWC testimony, in the bench trial *de novo* appeal, by City Prosecutor/Deputy State Prosecutor, Kimberly Dale, who in a hearing *which excluded Connie Watkins*, was granted motion in limine, to conceal from the record, exculpatory evidence concerning PLWC (**Pet. pgs.31a-32a; 5th am.cc.**).

In the U.S. Supreme Court, *Hazel-Atlas Glass Co. v. Hartford-Empire Company*, 322 U.S. 238, (1944) an attorney may commit fraud on the court, not only through misrepresentation, but also through omission. Also in *Hazel-Atlas* "it is a wrong. . . . which. . . . cannot complacently be tolerated consistently with the good order of society . . . involv[ing] two victims: the individual litigant . . . and the court itself, whose integrity is compromised by the fraudulent behavior of its officers.) "The very temple of justice is defiled."

D. Opposition Brief misrepresents the current state of the case

PLWC alleges partial summary judgment on February 17, 2009 on certain issues (the actual date of the ORDER was March 3, 2009) pertaining to two 'criminal' cases which were pending at the time of the Order on the *fourth* amended counterclaim. The *non-final* order stated "summary judgment is granted on all 'twenty-six' (26) *except* for the following [seven counts . . .]", yet, there were 'twenty-seven' (27) claims, so it is unknown *which claim* was not

addressed, as the order does not name and specify all of the claims. The ORDER states that Watkins' **surviving claims** are: selective enforcement; breach of contract; outrage; trespass; harassment; property damage and excessive force.

'Unlawful Arrest' was one of the counts granted in the ambiguous order, but during a 'phone conference' called by PLWC on March 4, 2009, the Circuit Court Judge stated pertaining to my arrest, " . . . We will take it up with the jury . . . " (**Reply-3a**). The two 'criminal' cases with complicated *First, Fourth, Fifth, Sixth, Fourteenth Amendment issues, are still pending*.

Further, the March 3rd order, contrary to the brief in opposition, was *not final* as it did not satisfy the requirements of Arkansas and Federal Rules of Civil of Procedure, Rule 54(b), and 'may be revised at any time'.

The March 3, 2009 Order also reversed bifurcation, upon Watkins' motion, in stating that we are *entitled to a trial before a jury* on whether or not PLWC has easement . . . , as well as the issues raised by [the Watkins] in our fourth counterclaim, such as remain. We maintain that all issues raised in our fourth and fifth amended counterclaims should be restored for *trial by a jury* (**5th am.cc. pgs. 140-301**).

At the time of the unjustified, fraudulent removal to federal court, in addition to the 2006 criminal appeal in the Arkansas Court of Appeals (now **U.S. Supreme Court – Petition 10-66**), Petitioners'

pending inextricably interwoven issues were at various stages in various courts with false 'ambiguous charges' of 'ambiguous city ordinance violations' ripening into a bill of attainder (pains and penalties) and unknown issues of secret retaliatory fraudulently filed police reports by the local government, and a ripening case of FOIA denial against the city prosecutor who had prosecuted me in state court. These issues have the same nucleus as my 2006 arrest and baseless complaint filed by PLWC, the same government with the same animus, to perpetuate violation of the petitioners' fundamental rights, even in interfering with contractual rights, denying the right to a trial, and malicious, forceful removal of property without reason or due process, the bill of pains and penalties created and enacted by the actions of all three branches of Paragould city government, in municipal court (**C-08-8495**) against Connie Watkins, in violation of Article I, §10, clause 1 of the Constitution (**5th am.cc.¶¶213,216-218; also pgs.109-118, 120-122,125-127, 129-139**), and perpetuated in the Greene County Circuit Court (**CR-2010-211**) by the same Judge who convicted me against the disorderly conduct statute and without probable cause in U.S. Supreme Court Petition Case 10-66, and who shares the same circuit with Counterdefendant Philhours who became a judge after denying the Watkins due process in the municipal case C-08-8495 (**5th am.cc.¶¶187,189,285,299,302-304 and 308**) is just now being appealed to the Arkansas Supreme Court (**Reply-7a**).

"The touchstone of due process is protection of the individual against arbitrary action of government," *Meachum v. Fano*, 427 U.S. 226 (1976) (internal quotation marks omitted); *Wolff v. McDonnell*, 418 U.S. 558 (1974); *County of Sacramento v. Lewis*, 523 U.S. 833, 845-846 (1998). When government action is so lacking in justification that it "can properly be characterized as arbitrary, or conscience shocking, in a constitutional sense," *Collins v. Harker Heights*, 503 U.S. 115, 128 (1992), it violates the Due Process Clause.

E. Opposition wrongly denies the authority of Waco and Cohen doctrines and 28 U.S.C. §1447, and misapplies additional case law

The opposition's arguments pertaining to review are irrelevant and baseless (**Pet. pgs. 10, 32-35, 59a-64a, and APP.L**) Case law attempting to support opposition's claims, that Watkins' 'failure to follow a rule' resulted in 'no jurisdiction' or rendered 'non-appealable remand', fail to relate. The Dismissal of the 5th amended counterclaim is rendered *null* according to precedent presented in petition.

Our petition demonstrated that the lower courts clearly erred in claiming jurisdiction just long enough to destroy valid issues based on genuine material facts. The Courts cannot legally circumvent the law (28 U.S.C. §§1441(a), (b) and 1446), and this Court's prior decisions would not allow the original plaintiff,

PLWC, to preserve judgment under any lawful theory *OR* the theory of 'third-party' that they have fraudulently effected, as thoroughly argued throughout the petition.

Contrary to opposition position, Watkins had no 'procedural problems' and did not 'fail to comply'. Jurisdiction was never possible and was never achieved, because of lack of federal question in PLWC's initial complaint and defective, fraudulent removal by parties without removal rights. The fraudulent removal confused all issues left in state court and **left the original Plaintiff in state court**, but the Courts allowed PLWC to strike the 5th counterclaim from state court. (**Pet. pgs. 9-10**). Counterdefendants, individuals, and entities, some 'claiming third-party status' and some 'not claiming third-party status', but who committed the same actions against the Watkins, and who were all joined by the same Arkansas and Federal Rule 19, remained in state court and some of those filed documents, none-the-less, in federal court. (**Reply-10a**).

"A decision produced by fraud upon the court is not in essence a decision at all, and never becomes final." 7 Moore's Federal Practice, 2d ed., p. 512, P60.23

Our petition clearly states that what we seek is *the return to state court* our entire 5th amended counterclaim to which are properly joined, the government actors who have committed and are still committing intentional crimes against the Watkins,

for a jury trial on all well-founded issues. Review of the dismissal of federal claims and orders that reflected the fraud that was perpetrated on the Court by non-removers, and orders that ignored petitioners' timely challenges to removal and party status misrepresentation and that refused consideration and ruling on motions and objections that *preceded* remand should be by a Court not biased with the adopted fraud exhibited in the federal court orders.

We need relief and protection from continual government oppression and punishment.

Conclusion

The petition for writ of certiorari should be granted.

Respectfully submitted,

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December 4, 2007

Attn: Jamie Adams
Arkansas Municipal League
VIA FACSIMILE 501 978-6566

RE: Connie Watkins vs. City of Paragould, Arkansas

Dear Ms. Adams:

Attached is a copy of a Counter-claim against the City of Paragould for False Imprisonment, Malicious Prosecution, Defamation, Outrage, Trespass to Land, etc. Also attached is a copy of a letter from Donis Hamilton, the lawyer handling an easement issue for the Paragould Light & Water Commission against Ms. Watkins. Donis is a private attorney hired by the Commission and does not represent the City.

The City of Paragould requests representation by the Municipal League for the counterclaim. Please

contact Mr. Hamilton to determine when and how the City was served on this matter and for other details of this case.

Thank you for your consideration of this matter.

Sincerely,

/s/ Allen L. Warmath
Allen L. Warmath

ALW/s
CC: Mike Gaskill, Mayor

March 4, 2009 CIV-2006-335(H) – Phone Conference pertaining to an Order in state court – Relevant section

(Persons whose names are highlighted were in attendance) **Judge Hill, Rob Beard** (Municipal League Attorney for the City of Paragould and Mike Gaskill, J.D. Stephenson, Todd Stovall, Monty Martin, Mike Tinnin, Jaree Johnson, Phillip Faulkner, Dennis Dunn, Kimberly Dale, and Allen Warmath), **Donis Hamilton** (attorney for Paragould Light and Water Commission and Bill Fisher, Darrell Phillips, Bill McCartney, Frank Curtis, John White, Larry Bobbitt and Daniel Wilkerson) and **Richard Watkins** and **Connie Watkins**

Hamilton — There isn't any need for further trimming in back of the house [south] at least not until this matter can be scheduled for trial before the jury. Then it would be my suggestion that we not waste the court's time, and the parties' time by having a hearing on a preliminary injunction, and just set the matter for trial to be totally disposed of at the next term, if the Court follows what I'm saying.

Judge — I do . . . Mrs. Watkins?

Connie W. — (Quietly to Richard) Are we ok with this? (Then in answer-) Yes, but I have other questions about the ORDER concerning my counts. Some of my counts are not mentioned. And, what about when the

opposition brings up my arrest? Do I get to address my arrest?

Judge: I don't think the arrest is going to be relevant to the issues that are remaining, is it?

Connie W.: Yes. Yes.

Judge: I think it is. I think it is. I take that back.

Connie W.: The underlying things in my arrest are *very much at issue.*

Judge: I tell you what, we will take it up with the jury then.

Connie W.: Ok.

Judge: Anything else, for today?

Hamilton: Judge, not that I know of, as I understand it, what the court is going to do is in light of the circumstances and after our discussion, is that there will not be any hearing Monday and the Court will set it for trial all the issues to be resolved that remain from the Court's order will be set for trial sometime in the next term. Is that correct?

Judge: Exactly.

PLEASE RETURN FOR FILING
IMMEDIATELY

APPEARANCE
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

NO. 09-3811

Connie Burns Watkins, et al

VS.

City of Paragould, et al

The Clerk will enter my appearance as Counsel for the following party(s):

(please specify) Paragould Light & Water Commission, Bill Fisher, Darrell Phillips, William (Bill) McCartney, Frank Curtis, Larry Bobbitt, Daniel Wilkerson, Don Wallace

s/ Donis B. Hamilton
ATTORNEY NAME

Hamilton, Colbert & Scurlock, LLP
FIRM NAME

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hamilton@paragould.net
E-MAIL ADDRESS

CERTIFICATE OF SERVICE

☑ I hereby certify that on 12-11-09, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

☑ I further certify that some of the participants in the case are not CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third-party commercial carrier for delivery within 3 calendar days, to the following non-CM/ECF participants:

/s/ Donis B. Hamilton

CIRCUIT COURT OF GREENE COUNTY, ARKANSAS

CRIMINAL DIVISION

STATE OF ARKANSAS PLAINTIFF

vs. CR 2010-211 (DL)

CONNIE WATKINS DEFENDANT

SECOND AMENDED NOTICE OF APPEAL FROM THE APRIL 30, 2010 CIRCUIT COURT JUDGMENT, TO INCLUDE APPEAL FROM THE DENIAL OF MOTION TO CORRECT THE RECORD IN ADDITION TO APPEAL FROM DEEMED DENIAL OF DEFENDANT'S MOTION FOR RELIEF UNDER THE U.S. CONSTITUTION AND RULES 60 AND 61

(Filed Aug. 9, 2010)

Comes, Connie Watkins, Defendant *pro se,* with my second amended notice of appeal from the April 30, 2010 Circuit Court Judgment, to include appeal from the denial of motion to correct the record in addition to appeal from deemed denial of defendant's motion for relief under the U.S. Constitution and Rules 60 and 61, to the Arkansas Supreme Court, appealing from: **A)** the Circuit Court's April 30, 2010 dismissal of my appeal from all three parts of the District Court's March 25, 2010 Order of Dismissal, which: 1) denied me a trial on various charges and arrests dated October 7, 2008 and October 13, 2008, but concluded guilt; 2) stated new charges; 3) ignored my March 15, 2010 motion for a trial, presentation

and objection to the fraud upon the court by prosecution and; 4) found my motion for a trial moot, after dismissing the case; **B)** the 'July 2, 2010, Deemed Denial' of my motion for relief under the U.S. Constitution and Rules 60 and 61; and **C)** the August 3, 2010 Order denying my motion to correct the record and all of its implications against my conduct in stating violation of 'ADMINISTRATIVE ORDER NUMBER 6 of the Arkansas Supreme Court'.

Pursuant to Rules of the Arkansas Supreme Court, Rule 1-2(a)(1.), (7.) and (8.) the Arkansas Supreme Court will properly have jurisdiction of this case as it involves interpretation of the Constitutions of Arkansas and of the U.S., the Defendant has had one case CR-2007-391>CACR-08-1285 decided by the Arkansas Supreme Court, and this present case is required by the law to be heard by the Supreme Court.

The complete record, as stated in the June 1, 2010 notice of appeal, has been designated and will now include the August 2010 filings. Arrangements were made pursuant to Ark. Code Ann. § 16-13-510(c) and the court reporter has been compensated for the inaccurate transcript that was provided.

Dated this 9th day of August 2010.

Respectfully submitted,

CONNIE WATKINS,
Defendant/Appellant pro se

By: /s/ Connie Watkins
Connie Watkins
5404 Mark Street
Paragould, AR 72450
(870) 239-4166

CERTIFICATE OF SERVICE

I, Connie Watkins, have not been notified of any adverse party that is to be noticed, but I am sending a copy to the attorney who stood before the Court against me. I hereby certify that I have mailed a copy of the foregoing Amended Notice of Appeal to the following on this 9th day of August, 2010.

Andrew Fulkerson
333 West Court
Paragould, AR 72450

Office of the Attorney General
Dustin McDaniel
323 Center St, Suite 200
Little Rock, AR 72201

/s/ Connie Watkins
Connie Watkins

Original Plaintiff Paragould Light and Water Commission (PLWC), and Counterdefendants joined by Rule 19 to the 5th Amended Counterclaim on Sept. 18, 2009, as represented by attorneys:

Robert Beard, P.O. Box 38, 301 W. 2nd Street, North Little Rock, AR 72115, for:

> City of Paragould, Arkansas, Mike Gaskill, J.D. Stephenson, Todd Stovall, Monty Martin, Mike Tinnin, Jaree Johnson, Phillip Faulkner, Dennis Dunn, Kimberly Dale and Allen Warmath

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Donis Hamilton, 401 W. Court, Paragould, AR 72450, for:

> PLWC, Bill Fisher, Darrell Phillips, William McCartney, Frank Curtis, John White, Larry Bobbitt, Daniel Wilkerson and Don Wallace

Bill Stanley, 326 South Church, Jonesboro, AR 72401, for:

> Crafton Tree Service, Jake Crafton and Frank Crafton

Brad Broadaway, 924 W. Court St, Paragould, AR 72450, for: Bradley P. Hancock